

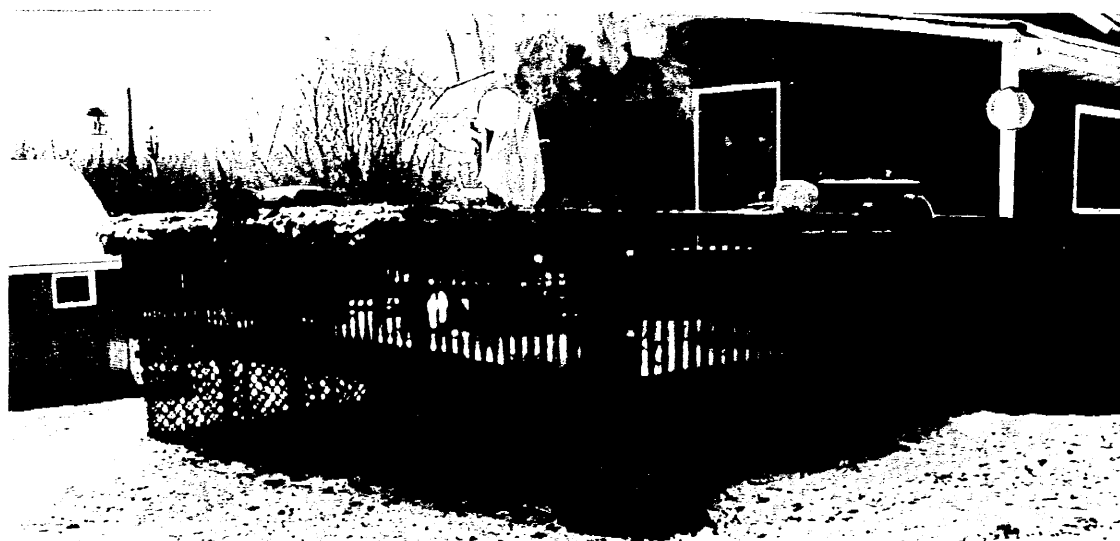
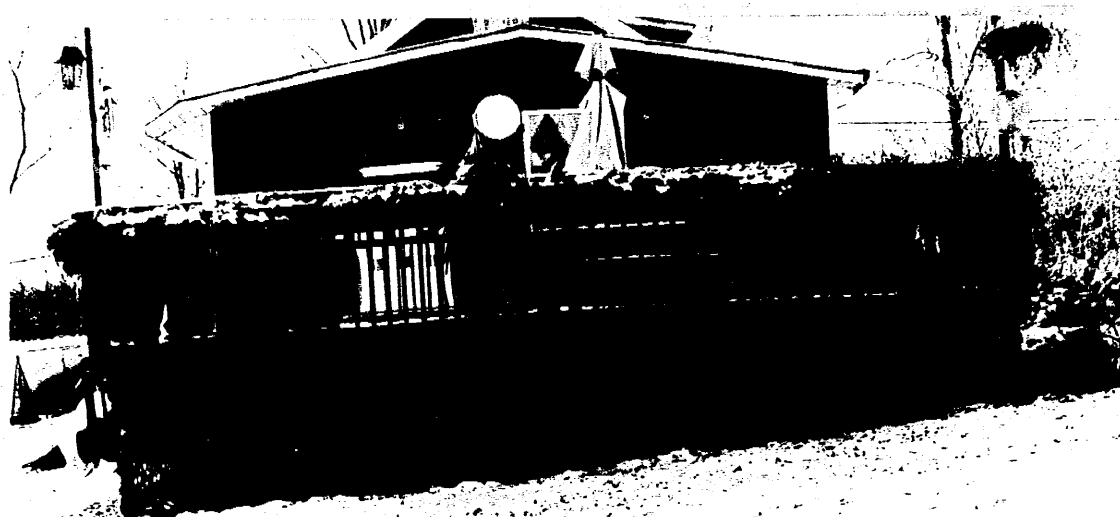
**ZB# 06-01**

**Vasal Monczyn**

**52-1-48**

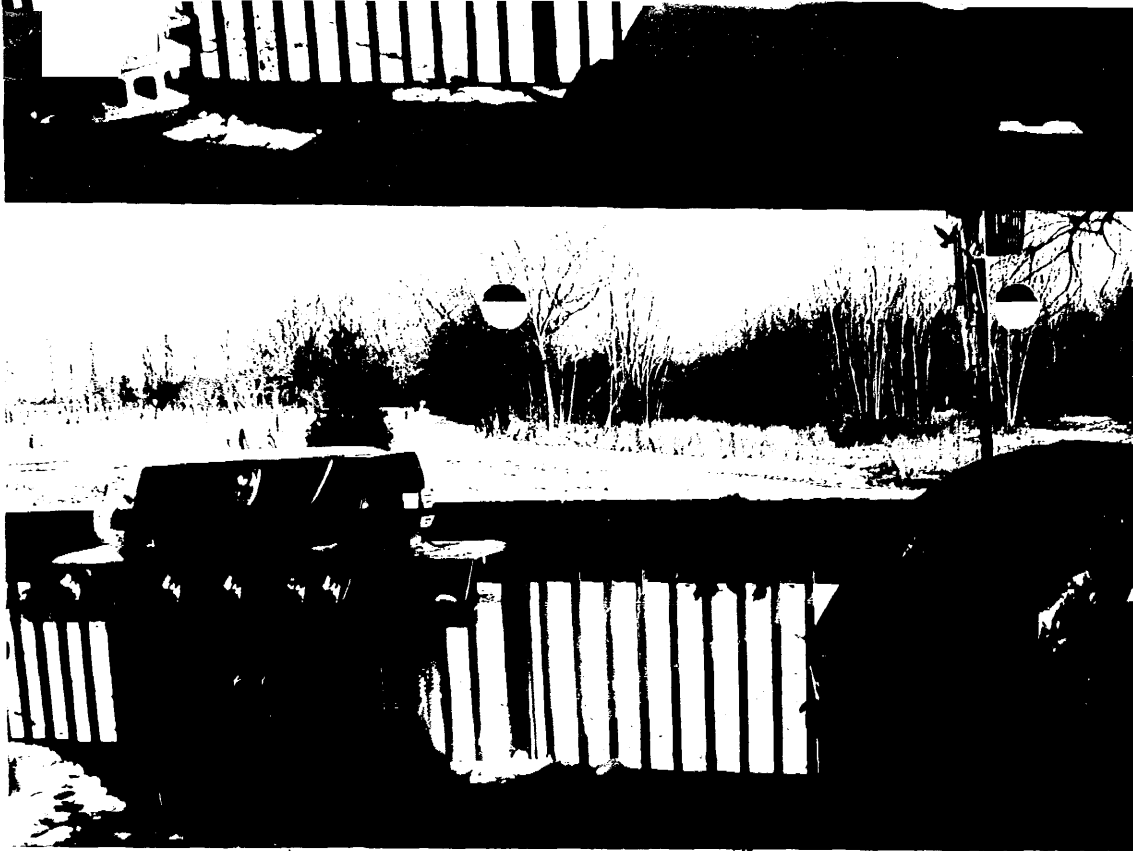
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 1-23-06*

**06-01** VASAL MONCZYN (AREA) 170 SHAW H  
(52-1-48)









**NEW WINDSOR ZONING BOARD OF APPEALS**

SBL: 52-1-48

In the Matter of the Application of

**MEMORANDUM OF  
DECISION GRANTING**

**VASAL MONCZYN**

**AREA**

**CASE #06-01**

**WHEREAS, Vasal Monczyn , owner(s) of 170 Shaw Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 28 feet Rear Yard Setback for existing attached rear deck (G-5) at 170 Shaw Road in an R-1 Zone (52-1-48)**

**WHEREAS, a public hearing was held on January 23, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and**

**WHEREAS, the Applicant appeared on behalf of this Application; and**

**WHEREAS, there were no spectators appearing at the public hearing; and**

**WHEREAS, no one spoke in favor of or in opposition to the Application; and**

**WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and**

**WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:**

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a one Family Dwelling located in a neighborhood of one Family Dwellings in an R-1 zone.
  - (b) The deck on the propoperty is similar is size and appearance to other decks in the neighborhood.
  - (c) The deck is necessary for safety reasons because a person exiting the residence without the deck, would be likely to fall and sustain serious physical injury.

- (d) The deck does not divert the flow of water drainage or create the ponding or collection of water.
- (e) The deck is not on top of, nor does it interfere with, an easements including, but not limited to, water, sewer and electrical easements.
- (f) In constructing the deck, the applicant did not remove any trees or substantial vegetation.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

**NOW, THEREFORE, BE IT**

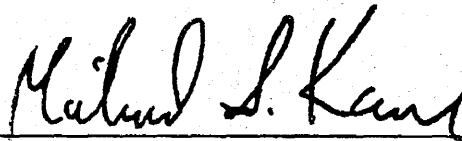
**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 28 feet Rear Yard Setback for existing attached rear deck (G-5) at 170 Shaw Road in an R-1 Zone (52-1-48) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.



**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: January 23, 2006

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

May 30, 2006

Vasal Monczyn OR Present Owners Of:  
170 Shaw Road  
Rock Tavern, NY 12575

**SUBJECT: REQUEST FOR VARIANCE #06-01**

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

**Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD**

MLM:mlm

cc: Michael Babcock, Building Inspector

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: November 17, 2005**

**APPLICANT: Vasal Monczyn  
170 Shaw Road  
Rock Tavern, NY 12575**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/1/05**

**FOR : Existing attached rear deck.**

**LOCATED AT: 170 Shaw Road**

**ZONE: R-1 Sec/Blk/ Lot: 52-1-48**

**COPY**

**DESCRIPTION OF EXISTING SITE: One family house**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Existing attached rear deck does not meet minimum rear yard set-back of 50 ft.**

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1    USE:    Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:    G-5                      50'                      22'                      28'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
8. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
8. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and permit fee.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

NOV 01 2005

FOR OFFICE USE ONLY:  
Building Permit #: 5-1174

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises VASAL MONCEYN + THEIMA MONCEYN  
X Address 170 SHAW Road Phone # 845-497-0987  
X Mailing Address ROCK TAVERN, N.Y. 12575 Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of X SHAW Rd  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

X 3. Tax Map Description: Section 52 Block 1 Lot 48

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

X 6. Is this a corner lot? NO existing Deck 16x24

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_

Fee

\$50-

Cash

**PAID**

230

11/1/1955  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Lisi & Louis Kryohear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4666 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X *John Monaghan*  
(Signature of Applicant)

*Shelene Monaghan* 1705 HAWTHORN RD  
(Address of Applicant) ROCK TAVERN NY

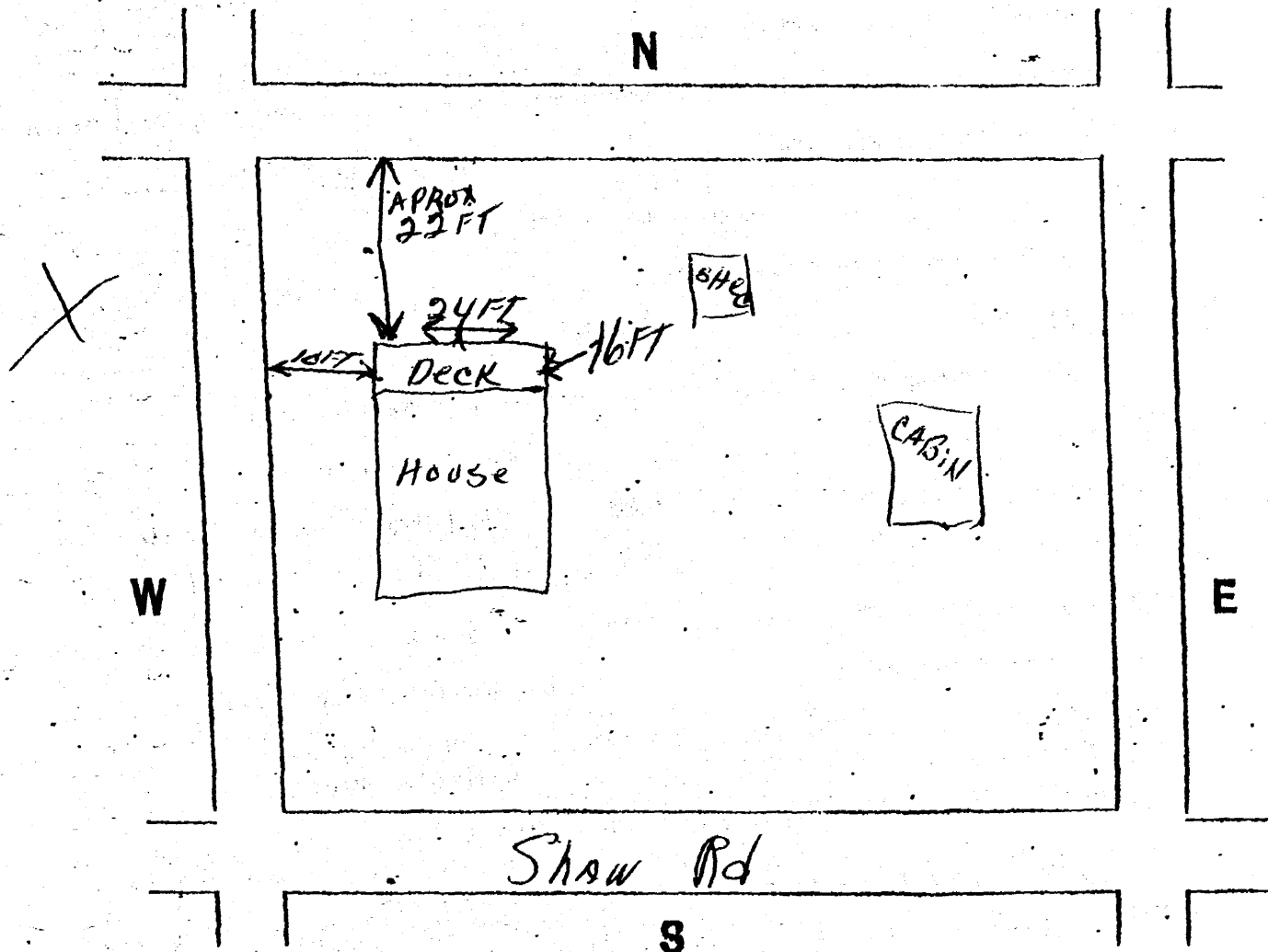
X *John Monaghan*  
(Owner's Signature)

*Shelene Monaghan* 1705 HAWTHORN RD ROCK TAVERN NY

PLOT PLAN

NOTE:

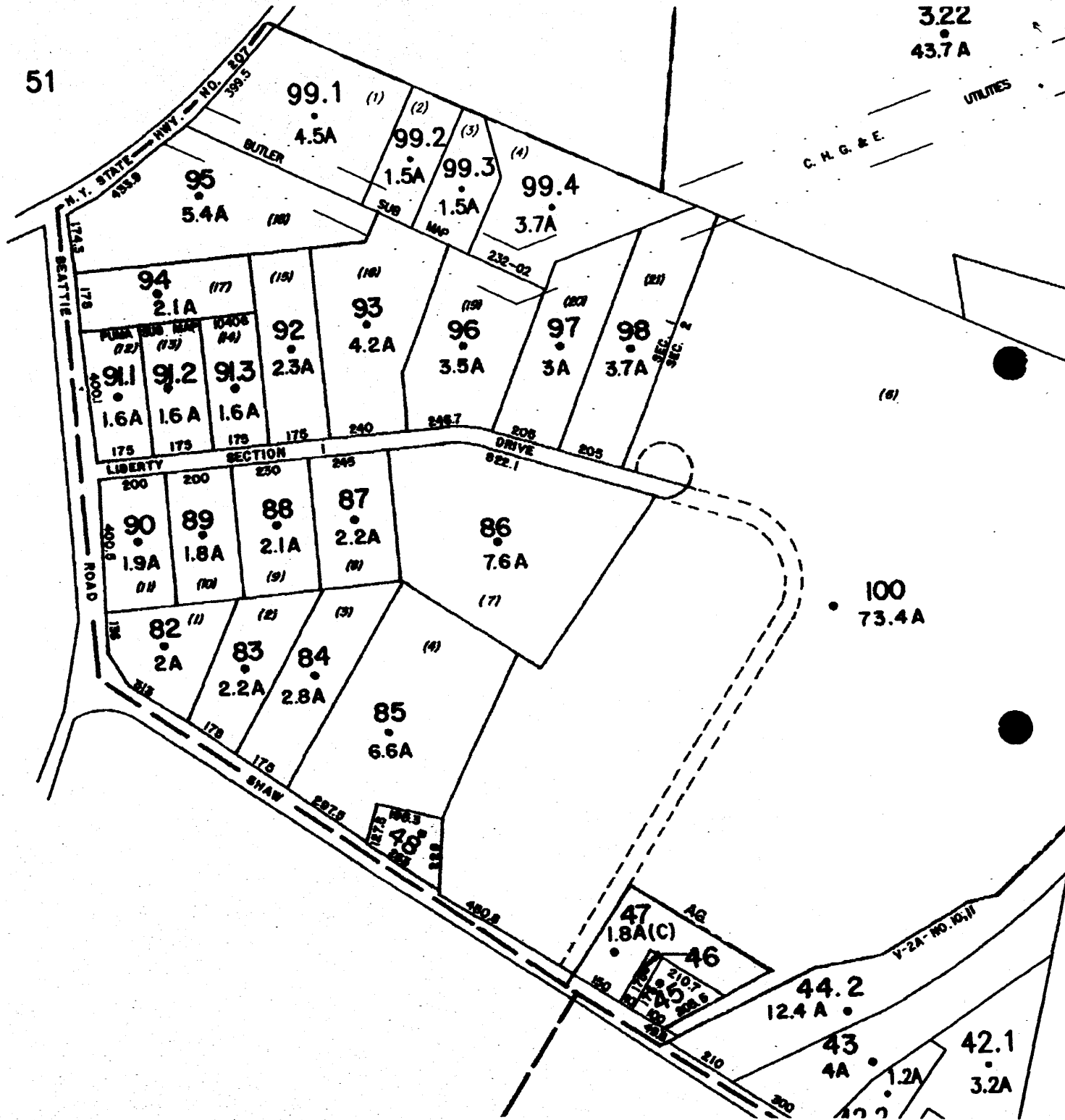
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





SECTION

51



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 04-25-06**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 163.81 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-01**

**NAME & ADDRESS:**

**Vasal Monczyn  
2255 Interprise Osteen Rd.  
Deltona, FL 32725**

**THANK YOU,**

**MYRA**

**L.R.04-25-06**



**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECORD OF CHARGES & PAYMENTS**



FILE #06-01      TYPE: AREA      TELEPHONE: 496-7054

**APPLICANT:**

Vasal Monczyn  
170 Shaw Road  
Rock Tavern, NY 12575

RESIDENTIAL:	\$ 50.00	CHECK # <u>779</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 780



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>5</u>	PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>22.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 01-13-06      \$ 16.69

TOTAL:	\$ <u>66.19</u>	\$ <u>70.00</u>
--------	-----------------	-----------------



ESCROW POSTED:	\$300.00
LESS: DISBURSEMENTS:	\$ <u>136.19</u>

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 163.81

Cc:

L.R. 04-25-06

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 01-09-06

FOR: **ESCROW 06-01**

FROM:

CHECK FROM:

Vasal Monczyn  
170 Shaw Road  
Rock Tavern, NY 12575

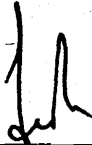
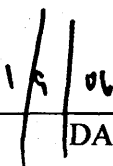
SAME

CHECK NUMBER: **780**

TELEPHONE: **496-7054**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

	
NAME	DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#18-2006**

**01/10/2006**

**Monczyn, Thelma**

**Received \$ 50.00 for Zoning Board Fees, on 01/10/2006. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

*2BA # 06-01 application See*



RESULTS OF Z.B.A. MEETING OF: January 23, 2006

PROJECT: Vasal Monczyn

ZBA # 06-01  
P.B.#

**P.B.#**

**USE VARIANCE:      NEED: EAF      PROXY**

**LEAD AGENCY:** M) S) VOTE: A N

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A      N

GANN  
LOCEY  
TORPEY  
KANE

~~CARRIED: Y N~~

**APPROVED:** M)        S)        VOTE: A        N       

~~GANN~~  
~~LOCEY~~  
TORPEY  
KANE

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)      S)      VOTE: A      N     

GANN  
LOCEY  
TORPEY

CARRIED: Y N

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M) L S) I VOTE: A 3 N    .

**GANN  
LOCEY  
TORPEY**

**CARRIED:** Y ☒ N ☐

[illegible]



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
1/31/2006	7311

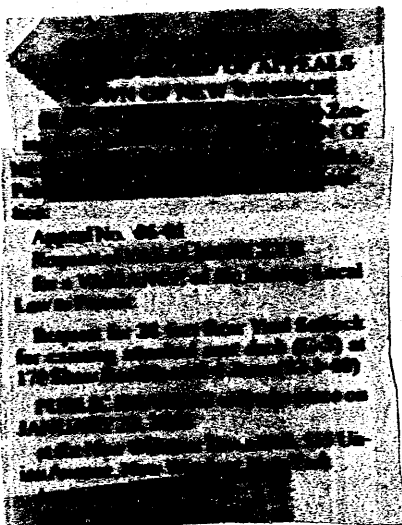
Bill To	<i>Moya Mason</i>
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553	

**RECEIVED**  
FEB 10 2006  
TOWN OF NEW WINDSOR  
COMPTROLLERS OFFICE

P.O. No.	Terms	Project
43476	Due on receipt	

Issue Date	Description	PCS/Units	Amount
1/13/2006	LEGAL ADS: APPEAL NO. 06-01 2 AFFIDAVITS	8.69 8.00	8.69 8.00
<b>Total</b>			\$16.69

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845) 562-1218



State of New York

County of Orange, ss:

Lucas Ladlee being duly

sworn disposes and says that he is The Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc. Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published 1x

in said newspaper, commencing on

the 13 day of Jan. A.D., 2006

and ending on the 13 day of Jan.

A.D. 2006

*Lucas W. Ladlee*

Subscribed and shown to before me

this 3<sup>rd</sup> day of Jul, 2006

*Deborah Green*

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065  
Commission Expires July 15, 2007

My commission expires 7-15-07



January 23, 2006

8

PUBLIC HEARINGS

VASAL\_MONCZYN\_(06-01)

Mr. and Mrs. Vasal Monczyn appeared before the board for this proposal.

MS. GANN: Request for 28 feet rear yard setback for existing attached rear deck at 170 Shaw Road. State your name and address, you need to go through this all over again like we did in the first hearing loud enough for the young lady to hear you.

MR. MONCZYN: Vasal Monczyn, 170 Shore Road, Rock Tavern, New York.

MS. GANN: Tell us again why you're here.

MRS. MONCZYN: We're in the process of selling our house and the deck is the question that we need a C.O. for.

MR. MONCZYN: We need the variance, we only have 28 feet before it hits the neighbor's yard there.

MRS. MONCZYN: And we'd like the deck to stay on the house, it's a beautiful deck.

MS. GANN: How long has the deck been there?

MRS. MONCZYN: About 20 years.

MR. MONCZYN: At least, we put it up when there's all just cow fields behind us, woods, no houses, nobody around within miles.

MS. GANN: Do you know if you had to take down any substantial vegetation to put this up?

MR. MONCZYN: No, no, lot of rocks, Rock Tavern, they

grow them there.

MS. GANN: To your knowledge, does this go over any easements?

MR. MONCZYN: No, ma'am, no, we talked to our neighbor, the Schraders border us on two sides where the deck is, they have had no complaints about it. Matter of fact, they wanted to come and put their two cents in but I didn't think it was necessary.

MS. GANN: Is it similar in size to other decks that are in your neighborhood, in the area in size and appearance?

MR. MONCZYN: Yes, mine's prettier.

MR. KRIEGER: That's why she said similar. There's an exit from the house onto the deck?

MR. MONCZYN: Yes, the back through the kitchen.

MR. KRIEGER: Looks like from the picture the deck's at least 3 feet high?

MR. MONCZYN: One side, yes, on the other side's about 2.

MR. KRIEGER: Somebody leaving the house if the deck weren't there would fall down?

MR. MONCZYN: Oh, yeah, yeah, it's a quite a drop there.

MR. KRIEGER: Very serious physical injury?

MR. MONCZYN: Yes, it's pretty high here, this far end you don't see it here but right here is where the steps come down that's pretty high here but up here it's only about 2 1/2 feet.

MS. GANN: Slope of the land, okay.

MR. KRIEGER: Does it create ponding or collection of water, divert the flow of water drainage?

MR. MONCZYN: No.

MR. KRIEGER: Doesn't affect the drainage at all?

MR. MONCZYN: Not at all, not a factor.

MS. GANN: Is there anyone out there for this public hearing? Seeing that there's no one in the audience, I'll accept a motion to close the public hearing.

MS. LOCEY: I'll offer a motion to close the public hearing.

MR. TORPEY: Second it.

ROLL CALL

MS. LOCEY     AYE

MS. GANN     AYE

MR. TORPEY   AYE

MR. BABCOCK: I have a letter here from Myra dated the 10th of January, 11 addressed envelopes containing the notice of public hearing went out, just a matter for the record.

MS. LOCEY: Any replies?

MR. BABCOCK: No replies.

MS. GANN: Okay.

MS. LOCEY: Accept a motion?

January 23, 2006

11

MS. GANN: I'll accept.

MS. LOCEY: I'll offer a motion on the application of Vasal Monczyn to grant his request for a 28 foot rear yard setback for an existing attached rear deck at 170 Shaw Road in an R-1 zone.

MR. TORPEY: Second it.

ROLL CALL

MS. LOCEY     AYE  
MS. GANN     AYE  
MR. TORPEY   AYE

MS. GANN: I'll entertain a motion to adjourn.

MS. LOCEY: So moved.

MR. TORPEY: Second it.

ROLL CALL

MS. LOCEY     AYE  
MS. GANN     AYE  
MR. TORPEY   AYE

Respectfully Submitted By:

Frances Roth  
Stenographer

January 9, 2006

3

PRELIMINARY\_MEETINGS:

VASAL\_MONCZYN\_(06-01)

MR. KANE: Request for 28 ft. rear yard setback for existing attached rear deck at 170 Shaw Road.

Mr. and Mrs. Vasal Monczyn appeared before the board for this proposal.

MR. KANE: Come on up here. Let me explain in the Town of New Windsor we have two meetings, a preliminary meeting so we can get a general idea of what you want to do, make sure you have what you need for the public hearing, as with anything in the zoning board our decisions have to be made at a public hearing. Some towns you go straight in cold, if you don't have what we want you lose. So this gives us a chance to find out what's going on. So tell us what you want to. State your name and address, speak loud enough so the young lady can hear you.

MRS. MONCZYN: We're trying to sell our house and we want the deck to stay there if possible.

MR. KANE: So you had an existing attached rear deck?

MR. MONCZYN: Yes.

MRS. MONCZYN: It was 20 years old.

MR. KANE: That was my next question about approximately 20 years?

MR. MONCZYN: Yes.

MR. KANE: Did you build it?

MR. MONCZYN: We had it built.

January 9, 2006

4

MR. KANE: Did you receive a permit at the time that you built it?

MR. MONCZYN: We didn't know, we didn't know, the builder didn't know.

MR. KANE: Most of these are going to be the same questions we're going to ask you in the public hearing.

MR. MONCZYN: The cows in the back didn't mind.

MR. KANE: Create any water hazards or runoff?

MR. MONCZYN: No.

MR. KANE: Cut down any substantial vegetation or trees in the building of the deck?

MR. MONCZYN: No.

MR. KANE: Town water or sewer, any easements?

MR. MONCZYN: No, we've got our own well, we're on septic, no easements.

MR. KANE: Has there been any complaints about the deck formally or informally to you?

MR. MONCZYN: No.

MR. KANE: Deck's the same as other decks in your neighborhood in size and nature, not overly big, similar?

MR. MONCZYN: Similar.

MR. KANE: Fairly similar not exact but--

MRS. MONCZYN: Right.

MR. MONCZYN: Matter of fact our neighbors use it more than we do, it's close to the pond, we've got the grill there.

MR. KANE: You also have a door coming off?

MR. MONCZYN: Yes.

MR. KANE: There's a gate going there so obviously without the deck there it would be a safety hazard?

MR. MONCZYN: Yes, the children, you know, lock type gate.

MR. KANE: Self-closing self-latching?

MR. MONCZYN: No, you have to lock it, physically have to lock it because we had a child proof lock on it with the kids.

MR. KANE: All right, any questions?

MS. GANN: Accept a motion?

MR. KANE: This isn't the public hearing so everything is formally at a public hearing.

MR. FERANDA: My name is Phil Feranda, I'm their real estate broker. They have an accepted purchaser of the home as it is, the lady has a mortgage and everything is in place for them to be able to close and move to Florida except this one detail and it's causing a problem with them being able to sell the house.

MR. KANE: Understand.

MR. FERANDA: I know Thelma said they're trying to sell the house, they're not just trying, it's sold so--

MR. KANE: Well, we're going to approve you for the

January 9, 2006

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public hearing, we're going to give you a little piece of paper as fast as you get that done, get it back in we'll get you here for a public hearing and get you back out.

MR. MONCZYN: How soon is that? Any idea?

MR. KANE: You have to get the mailings, they have to be in the paper ten days before the public hearing, so it might be tough for the second hearing in January, might make the first hearing in February.

MR. MONCZYN: I can hand deliver to my neighbors.

MS. MASON: We have one hearing in February near the end. I'm trying as best I can to have anything in place, everything for the second one in January but I can't promise it, I'm just trying.

MR. MONCZYN: She's even willing to sign a statement.

MR. KANE: Nothing we can do to speed it up, the ten days in the newspaper.

MR. MONCZYN: My neck's in a noose now.

MR. KANE: We'll give you the list with everything in it as fast as you can move we'll do everything possible to get you on the agenda, you'll speak to Myra on that. May I have a motion?

MS. GANN: I'd like to make a motion that we set up Vasal Monczyn for a public hearing for the request for 28 feet rear yard setback for existing attached rear deck at 170 Shore Road in an R-1 zone.

MR. BROWN: Second the motion.

ROLL CALL



January 9, 2006

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MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. KANE	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

# VASAL MONCZYN

**#06-01**

# X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

**MYRA L. MASON, being duly sworn, deposes and says:**


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 10TH day of JANUARY, 2006, I compared the 11 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

20<sup>th</sup> day of January, 2006

  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified in Orange County  
Commission Expires 10/30/2006



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

January 10, 2006

Victor Guzman Law Office  
P.O. Box 4827  
Middletown, NY 10941

Re: 52-1-48

ZBA#: 06-01 (11)

Dear Mr. Guzman:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

51-1-73  
Elena Gravina  
197 Shaw Road  
Rock Tavern, NY 12575

51-1-82.33  
Thomas & Laura Kavanah  
10 Beech Lane  
Campbell Hall, NY 10916

52-1-47  
Daniel & Margaret Lucey  
144 Shaw Road  
Rock Tavern, NY 12575

52-1-85  
Alan & Debra Schrader  
180 Shaw Road  
Rock Tavern, NY 12575

51-1-82.31  
Elizabeth O'Halloran  
153 Shaw Road  
Rock Tavern, NY 12575

51-1-82.35  
Raymond & Carolynn Mulligan  
173 Shaw Road  
Rock Tavern, NY 12575

52-1-83  
Robert & Sandra Dixon  
198 Shaw Road  
Rock Tavern, NY 12575

52-1-100  
Tara, Inc.  
c/o V.R. Inaganti  
89 Jefferson Street  
Highland Mills, NY 10930

51-1-82.32 & 34  
Scenic View Properties, LLC  
199 Lee Avenue - Suite 207  
Brooklyn, NY 11211

51-1-82.4  
William & Nellie Walpole  
149 Shaw Road  
Rock Tavern, NY 12575

52-1-84  
Kevin & Maria Finucane  
P.O. Box 7  
Rock Tavern, NY 12575

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#25-2006**

01/10/2006

Monczyn, Thelma

Received \$ 10.00 for Assessors List, on 01/10/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

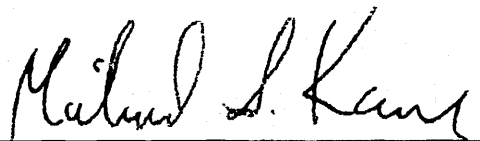
**Appeal No. 06-01**

**Request of VASAL MONCZYN**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 28 feet Rear Yard Setback for existing attached rear deck (G-5) at 170 Shaw Road in an R-1 Zone (52-1-48)**

**PUBLIC HEARING will take place on JANUARY 23, 2006  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York  
beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

**Michael Kane, Chairman**



RESULTS OF Z.B.A. MEETING OF: January 9, 2006

PROJECT: Vasal Monczyk ZBA # 06-01  
P.B.#

P.B.#

**USE VARIANCE:      NEED: EAF      PROXY**

LEAD AGENCY: M) S) VOTE: A N

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) S) VOTE: A N

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M)   S   VOTE: A   N  

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) G S) B VOTE: A 4 N 0

GANN	A
LOCEY	A
BROWN	A
MCDONALD	
<del>FEIS</del>	
KANE	A

CARRIED: Y ☒ N

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:**      M)      S)      VOTE: A      N      .

**GANN** \_\_\_\_\_  
**LOCEY** \_\_\_\_\_  
**BROWN** \_\_\_\_\_  
**MC DONALD** \_\_\_\_\_  
**REIS** \_\_\_\_\_  
**KANE** \_\_\_\_\_

**CARRIED: Y N**

Deed 30 years  
No Water Hazards  
No Trees  
No Easements  
No Complaints  
Similar in size  
Good for safety

# TOWN OF NEW WINDSOR

## REQUEST FOR NOTIFICATION LIST

DATE: 01-06-06 PROJECT NUMBER: ZBA# 06-01 P.B. #       

APPLICANT NAME: VASAL MONCZYN

PERSON TO NOTIFY TO PICK UP LIST:

VICTOR GUZMAN LAW OFFICES (LESLIE)  
P.O. BOX 4827  
MIDDLETOWN, NY 10941

TELEPHONE: 692-8827

TAX MAP NUMBER:	SEC. <u>52</u>	BLOCK <u>1</u>	LOT <u>48</u>
	SEC. <u>      </u>	BLOCK <u>      </u>	LOT <u>      </u>
	SEC. <u>      </u>	B LOCK <u>      </u>	LOT <u>      </u>

PROPERTY LOCATION: 170 SHAW ROAD  
ROCK TAVERN, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:       

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET)       

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)       

AGRICULTURAL DISTRICT:  
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
 OF SITE PLAN OR SUBDIVISION PROJECT)       

❖ ❖

NEW WINDSOR ZONING BOARD XXX

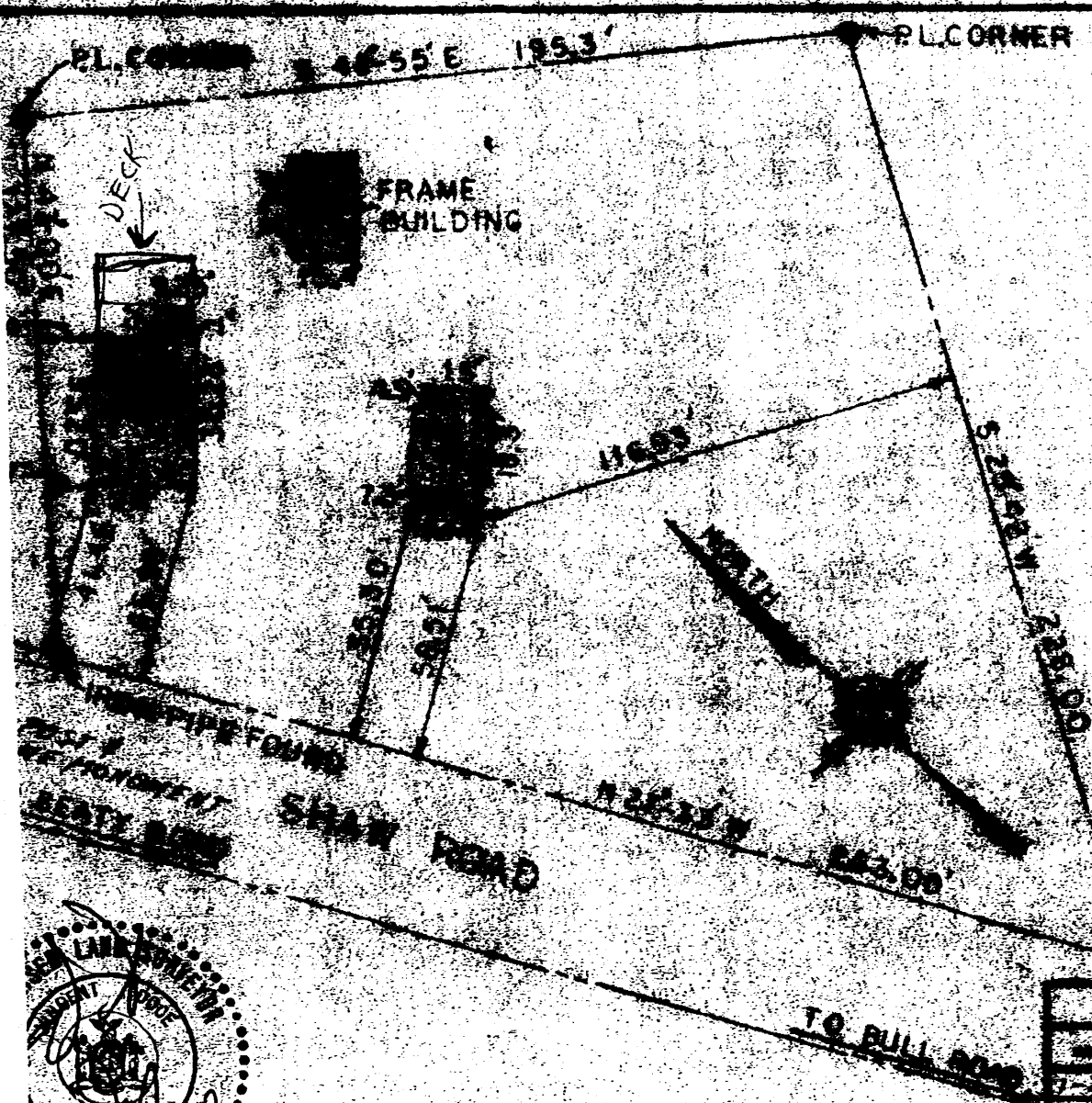
LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 781

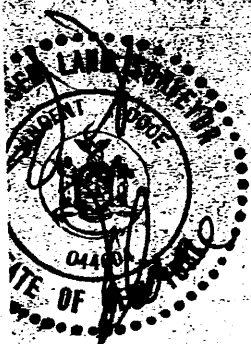
TOTAL CHARGES:





THIS IS TO CERTIFY TO  
 VASAL AND THELMA L. MONCZYN  
 MIDDLETOWN SAVINGS BANK  
 AMERICAN TITLE INSURANCE CO.  
 THAT THIS IS A TRUE AND  
 ACCURATE HOUSE LOCATION  
 SURVEY FROM PROPERTY  
 LINE CORNERS FOUND IN  
 THE FIELD.

*V. J. Doce*  
 VINCENT J. DOCE P.L.S.  
 LICENSE NO. 044604  
 DAKAH PARK  
 NEWBURGH, NEW YORK



TOWN OF NEW WINDSOR			
ORANGE COUNTY			
DATE 1-27-77	BARKLEY TO MONCZYN		SEARCHED <input checked="" type="checkbox"/> INDEXED <input checked="" type="checkbox"/> EXAMINED <input checked="" type="checkbox"/> APPROVED <input checked="" type="checkbox"/>
FIELD NO.	SCALE 1" = 40'	DATE 1-27-77	DRAWING NO. 1 OF 1

HN 1422

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.**

**THIS INDENTURE**, made the 1st day of February, nineteen hundred and Seventy-Seven  
**BETWEEN** Hugh E. Barkley and Grace Barkley, husband and wife,  
both residing at Shaw Road, Rock Tavern, New York 12575

party of the first part, and

Vasal Monczyn and Thelma L. Monczyn, husband and wife,  
both residing at 100 Nicoll Street, Washingtonville, New  
York 10992

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York and more particularly bounded and described as follows:

BEGINNING at a point in the easterly side of the Creamery Road, said point being a distance of 819 feet measured along said side of said road from an iron post set on top of an old stone monument bearing the initials (I.C.) and being a corner in the division line between the lands of one McDowell and the lands of Franklin Mulliner, said monument being in the easterly side of said Creamery Road near the intersection of the southerly side of the Beaty Road and runs thence from said point of beginning along the middle of a stone wall, North 43 degrees East 127.5 feet to a point, thence running South 48 degrees 55 minutes East and passing near the edge of a pond 195.3 feet to a point, thence South 29 degrees 42 minutes West along the middle of a stone wall 228 feet to the easterly side of said Creamery Road, thence along said road North 27 degrees 33 minutes West 263 feet to the point or place of beginning and containing .833 acres more or less.

2970  
17

SUBJECT to covenants, restrictions, and easements of record as they may appear.

BEING the same premises conveyed by Wyant Felter, Jr. and Mary E. Felter, his wife to Hugh E. Barkley and Grace E. Barkley, husband and wife, by deed dated August 21, 1970 and recorded in the Orange County Clerk's Office August 24, 1970 in Liber 1853 at page 805. HB GB

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

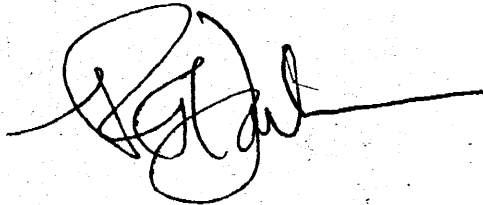
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



  
HUGH E. BARKLEY

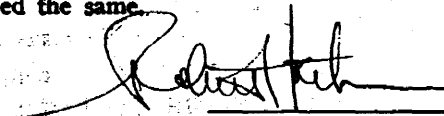
  
GRACE BARKLEY

STATE OF NEW YORK, COUNTY

ss:

On the 1st day of February 19 77, before me personally came Hugh E. Barkley and Grace Barkley

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

  
Residing in Orange County  
Commissioner Office 3/30/77

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came

LIBER 2059 PAGE 190

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

**Bargain and Sale Deed**

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

SECTION

BLOCK

ok

*Barkly*

COUNTY OR TOWN

TO

*monc24n*

Recorded At Request of The Title Guarantee Company

RETURN BY MAIL TO:

*Devitt and Devitt, Esq*  
*248 Broadway*  
*Newburgh, New York 12550*

Zip No.

*293*  
*Hill to Dab 4-*

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

*Distributed by*



**THE TITLE GUARANTEE-  
NEW YORK**

**ATICOR COMPANY**

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

RECEIVED  
\$ *27.70*  
REAL ESTATE  
FEB 2 1977  
TRANSFER TAX  
ORANGE  
COUNTY

Orange County Clerk's Office, S.S.

Recorded on the *27* day

of *Feb* 19 *77* at *2:30*

o'clock *P.M.* in Liberated *289*

and Examined. *at page 187*

*C. N. Winters*



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

\_\_\_\_\_ Date      Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 497-0987  
VASAL & THEIMA MONCZYN Fax Number: ( )  
 (Name)  
170 SHAW ROAD ROCK TAVERN, N.Y. 12575  
 (Address)

II. **Applicant:** Phone Number: (845) 497-0987  
VASAL & THEIMA MONCZYN Fax Number: ( )  
 (Name)  
170 SHAW RD ROCK TAVERN, N.Y.  
 (Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: (845) 497-0987  
VASAL & THEIMA MONCZYN Fax Number: ( )  
 (Name)  
170 SHAW ROAD ROCK TAVERN, N.Y. 12575  
 (Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 561-1170  
 Fax Number: (845) 561-7738  
VINCENT J. DOCE P.L.S.  
 (Name)  
DARAN PARK - NEWBURGH, N.Y.  
 (Address)

V. **Property Information:**  
 Zone: R-1 Property Address in Question: 170 SHAW ROAD ROCK TAVERN  
 Lot Size: 833 Tax Map Number: Section 52 Block 1 Lot 48  
 a. What other zones lie within 500 feet? NONE  
 b. Is pending sale or lease subject to ZBA approval of this Application? yes  
 c. When was property purchased by present owner? 2-1-1977  
 d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_  
 e. Has an Order to Remedy Violation been issued against the property by the  
 Building/Zoning/Fire Inspector? NO  
 f. Is there any outside storage at the property now or is any proposed? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	25 50'	22'	28'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*the deck was built many years ago, we weren't aware of any zoning rules we were breaking. at that time there were no houses around us - only a field + woods. the deck adds beauty + is very useful for gatherings, + does no harm to anyone in any way, to the best of my knowledge.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**



**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
  - ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
  - ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

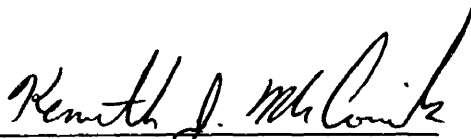
) SS.:

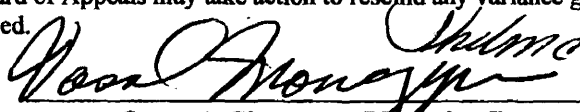
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

12th day of December 2005,

  
Signature and Stamp of Notary

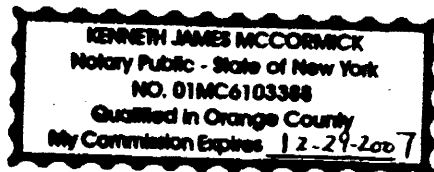
  
Owner's Signature (Notarized)

VASAL MONCEYN THEIMA MONCEYN  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



COMPLETE THIS PAGE ☐